

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

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| RICHARD DASCHBACH | : | |
| <i>individually and on behalf of all</i> | : | |
| <i>others similarly situated,</i> | : | CASE NO. 1:22-cv-00346-JL |
| Plaintiff, | : | |
| v. | : | ASSENTED TO MOTION TO ALLOW |
| ROCKET MORTGAGE, LLC, | : | PLAINTIFF TO FILE AMENDED |
| Defendant. | : | COMPLAINT AND TO EXTEND |
| | : | ROCKET MORTGAGE'S |
| | : | <u>RESPONSIVE PLEADING DEADLINE</u> |
| | : | |
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Pursuant to Federal Rule of Civil Procedure 6(b), 15, and Local Rule 7.2(a), Plaintiff Richard Daschbach (“Plaintiff” or “Daschbach”) and Rocket Mortgage, LLC (“Rocket Mortgage” (the “Parties”), through their counsel, respectfully move to allow Plaintiff to file a First Amended Complaint and to extend Rocket Mortgage’s responsive pleading deadline. As grounds for this Motion, undersigned counsel states as follows:

1. On September 2, 2022, Plaintiff filed his complaint (the “Complaint”) in this action against Rocket Mortgage. On September 2, 2022, Rocket Mortgage waived service of the Complaint in this action.
2. Under Federal Rule of Civil Procedure 12(a), Rocket Mortgage’s responsive pleading to the Complaint would be due on or before November 1, 2022.
3. On October 24, 2022, the Parties met and conferred regarding Rocket Mortgage’s anticipated motion to dismiss the Complaint.

4. In response to the issues identified by Rocket Mortgage during the meet and confer, Plaintiff intends to file an amended complaint.

5. In light of Plaintiff's intention to file an amended complaint and to preserve this Court's and the Parties' resources pending that filing, the Parties agree and request that the Court issue an order that: (1) Plaintiff will file his amended complaint on or before November 4, 2022; and (2) Rocket Mortgage's responsive pleading deadline will be extended to November 29, 2022.

6. The Parties have not previously requested any extension of the time for Plaintiff to file his amended complaint or for Rocket Mortgage to file its responsive pleading. Further, the extended deadlines do not affect any previously scheduled deadline on the Court's calendar.

7. Local Rule 7.1(c) Certification: Counsel for Plaintiff assents to this motion.

8. Local Rule 7.1(a)(2) Certification: Due to the nature of this motion, no separate memorandum of law is filed.

WHEREFORE, Rocket Mortgage, LLC respectfully requests that the Court:

- A. Grant this Motion;
- B. Enter an order that (1) Plaintiff will file his amended complaint on or before November 4, 2022; and (2) Rocket Mortgage's responsive pleading deadline will be extended to November 29, 2022; and
- C. Grant such other relief as this Court deems just and equitable.

Dated: October 27, 2022

/s/ Steve J. Dutton
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Attorneys for Defendant, Rocket Mortgage, LLC

*Motion for admission *pro hac vice* pending

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 27, 2022, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system, which will send a notice of electronic filing to all counsel of record identified on the service list.

By: /s/ Steven J. Dutton
Steven J. Dutton

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